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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/817,260	04/02/2004	Peter Fornell	1002-10-01 USP	1780

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EXAMINER
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TRUONG, BAO Q

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 06/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/817,260

Applicant(s)

FORNELL, PETER

Examiner

Bao Q. Truong

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 1 and 17 are objected to because of the following informalities:

Claim 1, "a threshold value" in line 7 should be changed to –said threshold value-  
- for consistency.

Claim 17, "the values" in line 3 is not quite clear.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-9 and 11-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokota [US 6,299,322] in view of Roskind et al. [US 2004/0127198 A1].

Regarding claims 1 and 11, Yokota discloses an illumination system for a mobile device having a light sensor [35] for measuring a first intensity of ambient light, an illumination mechanism [10] for illuminating two user interfaces [2, 3], a memory [15] for storing an illumination selected by a user, and a power management module [11, 12, 13, 14, 15, 16] for adjusting illumination intensity based on ambient light (abstract, figures 1-5, column 2 lines 23-67, column 3 lines 1-49, column 4 lines 5-30, column 5

lines 1-17). Yokota does not clearly disclose the threshold value from the user or the illumination preferences.

Roskind et al. discloses the threshold value from the user or the illumination preferences [at 330] for adjusting illumination of a mobile device (abstract, figures 2-3, paragraph [0006]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the illumination selected by a user of Yokota with the threshold value from the user or the illumination preferences as clearly taught by Roskind et al. for purpose of providing an advantageous way of automatically changing an illumination of a mobile device based on environmental condition.

Regarding claims 2-3, Yokota discloses the adjusting inherently including increasing or decreasing illumination intensity by the power management module [11-16] (figures 2-5, column 4 lines 5-30).

Regarding claims 4-5, Yokota discloses the adjusting takes place when the first intensity is less or greater than the threshold value [cause by the sensor 35 and comparing by a controller 13] (figures 2-5).

Regarding claims 6 and 7, Yokota discloses a backlight and LEDs [10] (column 2 line 30).

Regarding claim 8, Yokota discloses keys [2] (figure 1).

Regarding claim 9, Yokota discloses a display screen [3] (figure 1).

Regarding claims 12 and 13, Yokota discloses the power management module [11-16] (column 4 lines 5-30).

Regarding claim 14, Yokota discloses a phototransistor (column 4 line 15).

Regarding claim 15, Yokota discloses LEDs [10] (figure 2).

Regarding claim 16, Yokota discloses a comparator (figure 5, column 4 lines 20-25) and Roskind et al. discloses the threshold value from the user (abstract, figures 2-3, paragraph 0006).

Regarding claim 17, Yokota discloses a converter [11, 12] for adjust illumination intensity of the LEDs [10] based on signals a comparator (figures 1-6, whole document), and Roskind et al. discloses the threshold value from the user (abstract, figures 2-3, paragraph 0006).

Regarding claim 18, Yokota discloses a power management chip [15] and a microcontroller [13] (figure 5).

Regarding claim 19, Yokota discloses an analog to digital converter (column 4 line 18) inherently for converting signals provided by the light sensor to the microcontroller [13] (see figure 2 of US 2004/0012556).

4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yokota [US 6,299,322] and Roskind et al. [US 2004/0127198 A1] in view of Yong et al. [US 2004/0012556 A1].

Regarding claim 10, Yokota discloses a second illuminating mechanism [10, 2a-b], a second user interface [2], and an illumination selected by the user (figures 1-5, column 2, lines 57-67). Yokota does not clearly disclose the second threshold value.

Yong et al. discloses the second threshold value, which could be selected from a plurality of ambient light intensity value (abstract, figures 2-3, paragraph 0021, 0022).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the illumination selected by a user of Yokota with the second threshold value from the user as clearly taught by Yong et al. for purpose of providing an advantageous way of automatically changing an illumination of a mobile device based on environmental condition.

5. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yokota [US 6,299,322] in view of Yong et al. [US 2004/0012556 A1].

Regarding claim 20, Yokota discloses an illumination system for a mobile device having an illumination mechanism [10] for illuminating two user interfaces [2, 3] in two states ON and OFF, a memory [15] for storing an illumination selected by a user (abstract, figures 1-5, column 2 lines 23-67, column 3 lines 1-49, column 4 lines 5-30, column 5 lines 1-17). Yokota does not clearly disclose the first and second thresholds from the user or the illumination preferences.

Yong et al. discloses the first and second thresholds, which could be selected from a plurality of ambient light intensity value (abstract, figures 2-3, paragraph 0021, 0022).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the illumination selected by a user of Yokota with the first and second threshold value from the user as clearly taught by Yong et al. for purpose of providing an advantageous way of automatically changing an illumination of a mobile device based on environmental condition.

### ***Response to Amendment***

6. Applicant's amendment and arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection. The applicant has amended the claims with the threshold value. However, Roskind et al. disclose the threshold value and the new ground of rejections are stated above.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bao Q. Truong whose telephone number is (571) 272-2383. The examiner can normally be reached on Monday-Friday (8:00 AM - 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Bao Q. Truong  
Examiner  
Art Unit 2875



Sandra O'Shea  
Supervisory Patent Examiner  
Technology Center 2800